

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

C-CATION TECHNOLOGIES, LLC

Plaintiff,

v.

TIME WARNER CABLE INC., TIME
WARNER CABLE ENTERPRISES LLC,
TIME WARNER CABLE TEXAS LLC,
ARRIS GROUP, INC., CISCO SYSTEMS,
INC., and CASA SYSTEMS, INC.,

Defendants.

Civil Action No. 2:14-CV-059-JRG-RSP

JURY TRIAL DEMANDED

JOINT NOTICE OF DISMISSAL

Plaintiff C-Cation Technologies, LLC (“Plaintiff”) and Defendants Time Warner Cable Inc., Time Warner Cable Enterprises LLC, ARRIS Group, Inc., Cisco Systems, Inc., and Casa Systems, Inc. (collectively “Defendants”) file this Joint Notice of Dismissal notifying the Court as follows:

1. Plaintiff hereby dismisses its claims of infringement for claim 14 of U.S. Patent No. 5,563,883 (“the ’883 patent”) as to all Defendants with prejudice.
2. Plaintiff and Defendants withdraw the following terms, which are unique to claim 14 of the ’883 patent, from the Joint Claim Construction Chart for Disputed Claim Terms (Dkt. 73):
 - a. “EPROM”
 - b. “system controlling means for controlling the communication system”
 - c. “user traffic”

- d. "transmitting means for transmitting user traffic or signalling data on said communication channels"
- e. "receiving means for receiving user traffic or signalling data on said communication channels"
- f. "modulating means for modulating signal data"
- g. "demodulating means for demodulating signal data"
- h. "interfacing means for interfacing to a wide area network"
- i. "switching means for making dynamic connections to switch signals among said transmitting means, said receiving means, said modulating means, said demodulating means, and said interfacing means"
- j. "forward communication controlling means for selecting a forward signalling data channel via dynamic connection between said transmitting means and said modulating means"

Dated January 16, 2015

Respectfully submitted,

/s/ Sam Baxter

Lewis V. Popovski

Jeffrey S. Ginsberg

Sheila Mortazavi

Merri C. Moken

David J. Kaplan

Aaron J. Zakem

KENYON & KENYON LLP

One Broadway

New York, NY 10004-1007

Tel.: (212) 425-7200

Fax: (212) 425-5288

lpopovski@kenyon.com

jginsberg@kenyon.com

smortazavi@kenyon.com

mmoken@kenyon.com

dikaplan@kenyon.com

azakem@kenyon.com

Samuel F. Baxter

Texas State Bar No. 01938000

sbaxter@mckoolsmith.com

McKOOL SMITH, P.C.
104 East Houston, Suite 300
Marshall, Texas 75670
Telephone: (903) 923-9000
Facsimile: (903) 923-9099

John F. Garvish, II
Texas State Bar No. 24043681
jgarvish@mckoolsmith.com
McKOOL SMITH, P.C.
300 West Sixth Street, Suite 1700
Austin, Texas 78701
Telephone: (512) 692-8700
Facsimile: (512) 692-8744

Jennifer Leigh Truelove
Texas State Bar No. 24012906
jtruelove@mckoolsmith.com
McKOOL SMITH, P.C.
104 East Houston St., Suite 300
Marshall, Texas 75670
Telephone: (903) 923-9000
Facsimile: (903) 923-9099

Attorneys for C-Cation Technologies, LLC

Dated January 16, 2015

/s/ Matthew A Traupman

J. Mark Mann (State Bar No. 12926150)
State Bar No. 12926150
G. Blake Thompson (State Bar No.
24042033)
MANN | TINDEL | THOMPSON
300 West Main Street
Henderson, Texas 75652
(903) 657-8540
(903) 657-6003 (fax)

Charles K. Verhoeven
California State Bar No. 170151
Quinn Emanuel Urquhart & Sullivan, LLP
50 California Street, 22nd Floor
San Francisco, CA 94111
Tel: (415) 875-6600
Fax: (415) 875-6700
charlesverhoeven@quinnemanuel.com

Edward J. DeFranco (*pro hac vice*)
Matthew A. Traupman (*pro hac vice*)
Quinn Emanuel Urquhart & Sullivan, LLP
51 Madison Ave.
New York, NY 10010
(212) 849-7000
(212) 849-7100 (fax)
eddefranco@quinnmanuel.com
matthewtraupman@quinnmanuel.com

*Attorneys for Time Warner Cable Inc., Time
Warner Cable Enterprises LLC, Time
Warner Cable Texas LLC, ARRIS Group,
Inc., Cisco Systems, Inc. and Casa Systems,
Inc.*

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was filed electronically on January 16, 2015 pursuant to Local Rule CV-5(a) and has been served on all counsel who are deemed to have consented to electronic service. Any other counsel of record will be served by electronic mail, facsimile transmission and/or first class mail on this same date.

/s/ Sam Baxter